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Legislative Bulletin

An Official Publication of the Hilliard City Council

Publication Date: February 23, 2020

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ORDINANCES

This was the First Reading of this ordinance. The Second Reading/Public Hearing is scheduled for 3/08/2021.

21-02 REPEALING AND REPLACING CHAPTER 161 OF THE CODIFIED ORDINANCES TO ESTABLISH A NEW CODE OF PERSONNEL PRACTICES AND PROCEDURES.

WHEREAS, pursuant to Charter Section 8.01, the City must have a Code of Personnel Practices and Procedures; and

WHEREAS, currently, Chapter 161 of the Codified Ordinances of the City provides for the conditions of employment, compensation, classification, and benefits afforded to non-unionized City employees; and

WHEREAS, Council finds it necessary to revise language in the current City Code Chapter 161 in order to comply with Charter Section 8.01 which will benefit the City, its employees, and attract qualified candidates for job openings; and

WHEREAS, Council finds that repealing the current City Code Chapter 161 and replacing it with a new Code of Personnel Practices and Procedures will provide clarity to employees and to ensure that the City is aligned with its current and future needs.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. Chapter 161 of the Codified Ordinances of the City is repealed and replaced as shown on Exhibit "A", attached hereto and incorporated herein.

SECTION 2. City Council finds that repealing and replacing Chapter 161 of the City's Codified Ordinances is in the City's best interest. Chapter 161 of the Codified Ordinances of the City is enacted as rewritten herein in the attached Exhibit "A" and shall be incorporated into the City's Codified Ordinances, from and after the effective date of this Ordinance.

SECTION 3. This Ordinance shall be in effect from and after the earliest time provided for by law.

This was the First Reading of this ordinance. The Second Reading/Public Hearing is scheduled for 3/08/2021.

21-03 AMENDING AND UPDATING CERTAIN SECTIONS OF PART ONE OF THE CITY'S CODIFIED ORDINANCES – THE "ADMINISTRATIVE CODE" TO BE ALIGNED WITH THE CITY'S FORM OF GOVERNMENT AND ORGANIZATIONAL STRUCTURE.

WHEREAS, due to the change in the form of government and organizational changes, the Administration has conducted a thorough review of Part One of the City's Codified Ordinances – the "Administrative Code"; and

WHEREAS, it was determined that certain amendments to the "Administrative Code" are needed to align with this form of government and organizational structures; and;

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ORDINANCES

21-03 continued:

WHEREAS, it is necessary to updated outdated language regarding Mayor's Court; and

WHEREAS, as shown on Exhibit "A", attached hereto and incorporated herein, the amendments are in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. City Council finds that amending Part One of the City's Codified Ordinances – the "Administrative Code", as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to the "Administrative Code", as shown and identified in track changes on the attached Exhibit "A", are approved.

SECTION 2. All other provisions of the "Administrative Code", not modified herein, remain unchanged and are in full force and effect.

SECTION 3. This Ordinance shall be in effect from and after the earliest time provided for by law.

This was the First Reading of this ordinance. The Second Reading/Public Hearing is scheduled for 3/08/2021

21-04 AMENDING CERTAIN SECTIONS OF PART SEVEN OF THE CITY'S CODIFIED ORDINANCES – THE "BUSINESS REGULATION CODE" TO BE ALIGNED WITH THE CITY'S FORM OF GOVERNMENT AND ORGANIZATIONAL STRUCTURE.

WHEREAS, due to the change in the form of government and organizational changes, the Administration has conducted a thorough review of Part Seven of the City's Codified Ordinances – the "Business Regulation Code"; and

WHEREAS, it was determined that certain amendments to the "Business Regulation Code" are needed to align with this form of government and organizational structures; and

WHEREAS, as shown on Exhibit "A", attached hereto and incorporated herein, the amendments are in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. City Council finds that amending Part Seven of the City's Codified Ordinances – the "Business Regulation Code", as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to the "Business Regulation Code", as shown and identified in track changes on the attached Exhibit "A", are approved.

SECTION 2. All other provisions of the "Business Regulation Code", not modified herein, remain unchanged and are in full force and effect.

SECTION 3. This Ordinance shall be in effect from and after the earliest time provided for by law.

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ORDINANCE

The following Ordinance was passed by Hilliard City Council on February 22, 2021.

21-01 AMENDING EXHIBIT A OF CHAPTER 190 OF THE CITY'S CODIFIED ORDINANCES TO UPDATE THE COMPREHENSIVE FEE SCHEDULE AND REPEALING EXHIBIT B OF CHAPTER 190 OF THE CITY'S CODIFIED ORDINANCES.

WHEREAS, Chapter 190 of City's Codified Ordinances contains various fees, including fees for the various permits, inspections, zoning applications, code enforcement and municipal services offered by the City (collectively, "municipal services"); and

WHEREAS, for the convenience of the public and the City, the comprehensive fee schedule for municipal services in Chapter 190 is subject to annual review by City Council; and

WHEREAS, it is a goal of City Council to sustain City finances thru the collection and updating of certain fees and other revenues in order to maintain a high level of municipal services; and

WHEREAS, the City of Hilliard is implementing new permitting software and wishes to simplify certain fees to make them easier to administer and calculate for residents and customers; and

WHEREAS, as shown on "Exhibit One", attached hereto and incorporated herein, the amendments are in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. City Council authorizes the acceptance of applications and issuance of permits for the items listed in Exhibit A of Chapter 190, as identified in "Exhibit One", **attached** hereto and incorporated herein, and finds that amending the fees listed in Exhibit A of Chapter 190 is in the City's best interests. The changes and additions to Exhibit A of Chapter 190, as shown and identified in track changes on the attached Exhibit One, are approved.

SECTION 2. Exhibit B of Chapter 190 regarding the separate fee schedule for homeowners who obtain Building Permits is repealed.

SECTION 3. All other provisions of Chapter 190, not modified herein, remain unchanged and are in full force and effect.

SECTION 4. This Ordinance shall be in effect from and after the earliest period provided by law.

RESOLUTIONS

The following resolutions were passed by Hilliard City Council on February 22, 2021.

21-R-14 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH COMPLETE GENERAL CONSTRUCTION FOR FRA-HILLIARD-MAIN STREET SAFETY IMPROVEMENT PROJECTS (PID 113435/CIP T-142/CIP T-147); AUTHORIZING THE TRANSFER OF FUNDS; AND AUTHORIZING AN EXPENDITURE.

WHEREAS, the FRA-Hilliard-Main Street Safety Improvement Projects consist of:

- Part 1: Main Street Pedestrian Safety Improvements (CIP T-147)
- Part 2: Main Street Tier 2 Roundabout Modifications (CIP T-142); and

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RESOLUTIONS

21-R-14, continued:

WHEREAS, the City of Hilliard received federal Highway Safety Improvement Program (HSIP) grant funding for both projects, which is a program administered through the Ohio Department of Transportation (ODOT); and

WHEREAS, the above two projects have been combined into one project for bidding and construction due to the nature and proximity of work and are collectively known as the FRA-Hilliard-Main Street Safety Improvement Projects (ODOT PID Number 113435), hereinafter “the Project”; and

WHEREAS, the purpose of the Project is to slow vehicle speeds and improve safety for pedestrians and other vulnerable road users along the Main Street corridor between Scioto Darby Road and Luther Lane/Heritage Club Drive South; and

WHEREAS, by Resolution No. 20-R-89, adopted November 9, 2020, Hilliard City Council authorized the City Manager to enter into an Agreement with ODOT to fund a portion of the Project, in an amount not to exceed \$969,500; and

WHEREAS, the City Manager executed the Local Public Agency (LPA) Local-Let Project Agreement on December 8, 2020; and

WHEREAS, the Engineer’s Estimate for construction of the Project was \$1,070,000; and

WHEREAS, after having been duly advertised for three consecutive weeks as required by law, bids for the contract were opened electronically on Bid Express at 3:00 pm on February 4, 2021 and Complete General Construction, which submitted a bid in the amount of \$1,035,152.26, which is under the City’s estimate, was determined to be the lowest and best bidder (“Contractor”); and

WHEREAS, a ten percent (10%) contingency in the amount of \$103,515 is available to cover approved change orders on the construction contract; and

WHEREAS, by Resolution No. 18-R-50, adopted June 25, 2018, Hilliard City Council authorized a multi-year General Engineering Services Contract with DLZ Ohio, Inc. for construction services, including contract administration, project management, inspection, and materials testing; and

WHEREAS, the estimated cost for contract administration, project management, inspection and materials testing services for the project is \$120,670, which includes a ten percent (10%) contingency; and

WHEREAS, the estimated cost to cover City staff time during the construction of the Project is \$15,000; and

WHEREAS, the funds were included for construction and professional services related to construction of the Project in the 2021 Capital Improvements Budget as part of CIP T-142 and T-147 and were appropriated by passage of Ordinance No. 20-27 on November 23, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. An expenditure in the amount of one million, two hundred fifty-nine thousand, three hundred and thirty-seven dollars (\$1,259,337) is authorized from the unencumbered balance of Fund 304, Object 55 for the construction of the Project, including related professional services for construction of the Project.

SECTION 2. The City Manager is authorized to enter into a contract with Complete General Construction for the FRA-Main Street Safety Improvement Projects (ODOT PID Number 113435) in an amount not to exceed one million, one hundred thirty-eight thousand, six hundred sixty-seven dollars (\$1,138,667), which includes a ten percent contingency to pay for approved change orders associated with the Project.

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RESOLUTIONS

21-R-14. continued:

SECTION 3. The Finance Director is authorized to receive funds or allow direct payment of the Contractor from the Ohio Department of Transportation in accordance with the LPA Local-Let Project Agreement.

SECTION 4. The Finance Director is authorized to transfer a maximum of fifteen thousand dollars (\$15,000) from Fund 304, Object 55 to Fund 283, Object 51 to cover Hilliard staff time during construction.

SECTION 5. The Finance Director is authorized to make any accounting changes necessary to revise the funding source for any contract or contract modification associated with the expenditure of funds.

SECTION 6. This Resolution is effective upon its adoption.

21-R-15 ORGANIZING THE ALTON PLACE COMMUNITY AUTHORITY, ESTABLISHING THE BOUNDARIES OF THE AUTHORITY, ESTABLISHING THE METHOD FOR SELECTING THE BOARD OF TRUSTEES OF THE AUTHORITY, APPOINTING MEMBERS OF THE BOARD OF TRUSTEES OF THE AUTHORITY, AND FIXING THE SURETY BOND AMOUNT FOR THE MEMBERS OF THE BOARD OF TRUSTEES.

WHEREAS, Alton Place, LLC, an Ohio limited liability company (the “*Developer*”), re-filed a petition (the “*Petition*”) on January 11, 2021 with the Clerk of Council for the creation of the Alton Place Community Authority (the “*Authority*”) pursuant to RC §349.03 in order to facilitate the new residential housing and commercial development generally known as Alton Place; and

WHEREAS, this Council is the “organizational board of commissioners”, as that term is defined in RC §349.01(F), and the City of Hilliard is the only “proximate city”, as that term is defined in RC §349.01(M), for the Authority; and

WHEREAS, this Council enacted Resolution No. 20-R-107 on January 12, 2021, in which this Council determined that the Petition is sufficient and complies with the requirements of RC §349.03(A) as to form and substance; and

WHEREAS, pursuant to RC §349.03, this Council held a public hearing on the Petition on February 22, 2021, after notice of the hearing was duly published in accordance with RC §349.03.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. Findings. That based on its examination of the Petition, any testimony provided at the public hearing on the Petition, and such other investigation and information as it deems relevant, this Council finds and determines that the proposed Alton Place Community Authority and its “new community district”, as that term is defined in RC §349.01(C), will be conducive to the public health, safety, convenience and welfare, and is intended to result in the development of a “new community” as defined in RC §349.01(A). This Council hereby ratifies the conduct of the public hearing and the notices therefor.

SECTION 2. Corporate Name. That the Alton Place Community Authority is hereby declared to be organized and a body politic and corporate, and that the corporate name of the Authority shall be the “Alton Place Community Authority”.

SECTION 3. Boundary. That the Authority’s new community district is defined to have the boundary set forth in the Petition.

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RESOLUTIONS

21-R-15, continued:

SECTION 4. Board of Trustees. That the Board of Trustees of the Authority shall be composed of seven members. One local government representative shall be appointed by this Council. Three citizen members shall be appointed by this Council. Three developer members shall be appointed by the Developer. If the Developer does not nominate a member for a Board position within 30 days of written request for such nomination by the City, this Council may nominate and appoint a Board member to fill that position. This Council hereby adopts an alternative form of selecting successor members pursuant to RC §349.04 and declares that replacement trustees shall be appointed from time to time by this Council and the Developer in the same manner as the initial appointments. No elections shall be held for successor trustees.

SECTION 5. Appointment of Trustees. That this Council appoints the following members to serve on the Board of Trustees of the Authority, each in the positions and for the term indicated beside such member's respective name.

Kelly Clodfelder	Local Government Representative	2 year term
Letty Schamp	Citizen Member	2 year term
Erin Duffee	Citizen Member	1 year term
Angela Zody	Citizen Member	1 year term

SECTION 6. Surety Bond. That pursuant to RC §349.04, there shall be posted for each member of the Board of Trustees of the Authority a bond in the amount of \$10,000 for the faithful performance of his or her duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety.

SECTION 7. Actions. That this Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this resolution were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including RC §121.22.

SECTION 8. Effective Date. This resolution is effective upon its adoption.

21-R-16 APPOINTING INITIAL MEMBERS TO THE CITY'S RECREATION AND PARKS ADVISORY COMMITTEE.

WHEREAS, on January 25, 2021, City Council adopted Resolution No. 21-R-06, which enacted Section 149.07 of the City's Codified Ordinances establishing the Recreation and Parks Advisory Committee (the "RPAC"); and

WHEREAS, 149.07(b)(2) provides that City Council shall appoint five residents and one high school student to the RPAC; and

WHEREAS, City Council advertised and sought applications from candidates interested in serving on the RPAC; and

WHEREAS, based on each individual's application materials, City Council is prepared to appoint members to the RPAC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio, that:

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21-R-16, continued:

SECTION 1. City Council hereby appoints the following individuals to the Recreation and Park Advisory Committee as initial members:

Name	Term
Kurt Schooley	February 22, 2021 – February 21, 2024
Woody Woodward	February 22, 2021 – February 21, 2024
Michael Lentz	February 22, 2021 – February 21, 2023
Brian Gara	February 22, 2021 – February 21, 2023
Jane Rice	February 22, 2021 – February 21, 2022
Christopher Kobs (High School Student)	February 22, 2021 – February 21, 2022
Mike McDonough (Hilliard City School District Representative)	February 22, 2021 – February 21, 2022
Lina Ulrey (Destination Hilliard Representative)	February 22, 2021 – February 21, 2022

SECTION 2. This Resolution shall be effective upon its adoption.
